

PATENT
Any. Dkt. No. ROC920010041US1
MPS Ref. No.: IBMK10041

REMARKS

This is intended as a full and complete response to the Office Action dated November 5, 2004, having a shortened statutory period for response set to expire on February 5, 2005. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraphs [0016], [0026], [0027] and [00386] have been amended to correct minor editorial problems.

Claims 1-23 are pending in the application. Claims 1-23 remain pending following entry of this response. Claims 1, 4, 8, 11, 12 and 19 have been amended. Applicants submit that the amendments do not introduce new matter.

Claim Rejections - 35 U.S.C. § 112

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph. Applicants have amended claims 1, 4, 8 and 11 to correct minor editorial problems pointed out by the Examiner. Regarding claim 8, Applicants submit that the term "job" is well known by one skilled in the art and is consistently utilized as such in the specification. Therefore, Applicants submit that claims 1-11, as amended, are not indefinite and respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 103

Claims 1-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Badovinat* *et al.* (US 6,026,426, hereinafter *Badovinat*), and further in view of *Moiin et al.* (US 5,999,712, hereinafter *Moiin*). The Examiner takes the position that *Badovinat* discloses substantial features of the claimed invention but fails to disclose each group member accessing its respective copy of the domain to determine whether the requestor is indicated in its respective copy. The Examiner further states that these features are well known in the art and would have been an obvious modification of the system disclosed by *Badovinat*, as evidenced by *Moiin*. Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three

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basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria.

Badovinat discloses an application programming interface for managing membership of a processor group in which a group leader is utilized to coordinate changes in the membership with the other members of the group. For example, for a request to join the group, the group leader receives the join request and performs a prescreening test to determine whether the other group members need to be informed of the request (via multicast) and to vote on the request. The request is approved when all votes indicate approval. (See *Badovinat*, Col. 12, line 54 to Col. 13, line 58).

Molin discloses a method for determining cluster membership in a distributed computer system in which each node receives connectivity information and applies a membership algorithm to determine a proposed new cluster M_{iprop} . The new cluster represented by more proposed new clusters is elected as the new cluster. (See *Molin*, Col. 4, lines 24-40).

Applicants submit that the references cited by the Examiner, either alone or in combination, do not teach, show or suggest that each member of the group accesses its respective copy of the domain (or list) to determine whether the requestor is indicated in its respective copy of the domain (or list) and, if so, updates the respective copy of the domain (or list) in response to the request. The combination of *Badovinat* and *Molin* merely provides a membership algorithm which may be utilized by each node to determine its vote on the request for the group. Furthermore, in accordance with *Badovinat* and *Molin*, the approval of the request would still be based on the votes (either unanimous or a majority), and each member (node or job) does not update a respective copy of the domain or a respective list based on that member's determination of whether the requestor is indicated in its copy of the domain or its list. Therefore, Applicants submit that claims 1-23 are patentable over *Badovinat*, and further in view of *Molin*. Withdrawal of the rejection is respectfully requested.

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Conclusion

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted



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